

REMARKS

Claims 1-10, 17-21, 23-25 and 27-28 were rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter not described in the specification to reasonably convey to one skilled in the relevant art that the inventor, at the time the application was filed, had possession of the claimed invention. The claims recited a linker peptide of "nine or more amino acid residues. Claims 22 and 26 were stated to be allowable, these claims being limited to two linker peptides specifically mentioned in the disclosure. Although Applicant disagrees with the rejection, to hasten the issuance of a patent the claims are being amended to insert the limitation of specific linker peptides which appear in claims 22 and 26 into all of the pending claims. Applicant believes that this amendment of the claims should overcome the rejection and result in all pending claims (in view of the present Amendment) being allowed. Applicant desires a patent to issue on at least those claims as amended and will continue to pursue the broader claims in a related application to be filed.

The Amendment results in the limitation which had been present in claims 22 and 26, which were indicated by the Office Action of 19 June 2001 to contain patentable subject matter, being present in all of the claims. The limitation is hereby specifically inserted into claims 1 and 18. All other pending claims depend directly or indirectly from claims 1 or 18 and therefore include the same limitation.

In view of the amendments and the above arguments, it is submitted that the present claims satisfy the provisions of the patent statutes and are patentable over the prior art. Reconsideration of this application and early notice of allowance are requested.

Respectfully submitted,



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Amended Claim 1: Version with markings to show changes made

1 (four times amended). A fusion protein presenting epitopes of at least two autoantigens wherein said autoantigens are selected from the group consisting of: preproinsulin (PPINS), glutamic acid decarboxylase (GAD65) and islet cell antigen (IA2), wherein said epitopes are connected with a linker peptide, wherein said linker peptide [comprises nine or more amino acid residues] is selected from the group consisting of KKKRPRKKK (SEQ ID NO:2) and KKKRSRKKK (SEQ ID NO:4), said fusion protein being able to bind to a solid phase.

Amended Claim 18: Version with markings to show changes made

18 (twice amended). A fusion protein presenting epitopes of at least two autoantigens selected from the group consisting of glutamic acid decarboxylase, islet cell antigen and preproinsulin, wherein said fusion protein comprises a label and a linker peptide wherein said linker peptide [comprises nine or more amino acid residues] is selected from the group consisting of KKKRPRKKK (SEQ ID NO:2) and KKKRSRKKK (SEQ ID NO:4).